

## Civil Enforcement Case Report

### Civil Enforcement Case

#### Basic Information

**Case Number:** 04-2015-2050  
**Case Name:** CARGILL METALS SUPPLY CHAIN, A  
BUSINESS UNIT OF CARGILL, INC.  
**Case Category:** Administrative - Formal  
**Case Status (as of 01/05/2016):** Closed  
**Case Lead:** EPA  
**Court Docket Number:** EPCRA-04-2015-2050(b)  
**DOJ Docket Number:** --

**Relief Sought:** --

**Enforcement Outcome:** Final Order With Penalty

**Headquarters Division:** --

**Branch:** --

**Result of Voluntary Disclosure?** No

**Multi-media Case?** --

**Enforcement Type:** CERCLA 109 Action For Penalty,  
EPCRA 325 Action For Penalty

**Violations:** CERCLA Reportable Quantity Discharge  
Violation

#### Penalties – Case Level

**Total Federal Penalty Assessed or Agreed To:** \$26,564  
**Total State/Local Penalty Assessed:** \$0  
**Total SEP Cost:** \$0  
**Total Compliance Action Cost:** \$100  
**Total Cost Recovery:** \$0

#### Case Summary

12/15/15 - CONSENT AGREEMENT AND FINAL ORDER ISSUED, ASSESSING A TOTAL PENALTY \$26,564 (CERCLA VIOLATION \$8,855 AND EPCRA VIOLATION \$17,709). RESPONDENT SHALL MAKE PAYMENT WITHIN THIRTY DAYS. ORDER ALLEGES: VIOLATION OF SECTION 103(a) OF CERCLA ON MARCH 14, 2014, A RELEASE OF HYDROCHLORIC ACID ABOVE THE RQ OCCURRED AT THE FACILITY. EPA ALLEGES THAT RESPONDENT VIOLATED THE NOTIFICATION REQUIREMENTS OF SECTION 103(a) OF CERCLA, BY FAILING TO IMMEDIATELY NOTIFY THE NRC AS SOON AS RESPONDENT HAD KNOWLEDGE OF THE RELEASE OF HYDROCHLORIC ACID IN AN AMOUNT EQUAL TO OR GREATER THAN ITS RQ AT RESPONDENT'S FACILITY. VIOLATIONS OF SECTION 304(a) OF EPCRA ON MARCH 14, 2014, A RELEASE OF HYDROCHLORIC ACID ABOVE THE RQ OCCURRED AT THE FACILITY. EPA ALLEGES THAT THE RELEASE RESULTED IN THE POTENTIAL FOR EXPOSURE TO PERSONS BEYOND THE SITE OR SITES ON WHICH THE FACILITY IS LOCATED. EPA ALLEGES THAT RESPONDENT VIOLATED THE NOTIFICATION REQUIREMENTS OF SECTION 304(a) OF EPCRA, BY FAILING TO IMMEDIATELY NOTIFY THE SERC AND LEPC AS SOON AS RESPONDENT HAD KNOWLEDGE OF THE RELEASE OF HYDROCHLORIC ACID IN AN AMOUNT EQUAL TO OR GREATER THAN THE AT RESPONDENT'S FACILITY. VIOLATION OF SECTION 304(c) OF EPCRA ON MARCH 14, 2014, A RELEASE OF HYDROCHLORIC ACID ABOVE THE RQ OCCURRED AT THE FACILITY. EPA ALLEGES THAT THE RELEASE RESULTED IN THE POTENTIAL FOR EXPOSURE TO PERSONS BEYOND THE SITE OR SITES ON WHICH THE FACILITY IS LOCATED. RESPONDENT VIOLATED THE NOTIFICATION REQUIREMENTS OF SECTION 304(c) OF EPCRA, BY FAILING TO PROVIDE A WRITTEN FOLLOW-UP EMERGENCY NOTICE TO THE LEPC WHEN THERE HAD BEEN A RELEASE OF HYDROCHLORIC ACID IN AN AMOUNT EQUAL TO OR GREATER THAN THE RQ AT THE FACILITY.

## Laws and Sections

Law	Sections	Programs
CERCLA	103A	Notification of Hazardous Reportable Quantity Release
EPCRA	304	Emergency Release Notification Section 313 Program

## Citations

Title	Part	Section
40 CFR	302.6	--
40 CFR	355.40	--

## Facilities

FRS Number	Facility Name	Address	City Name	State	Zip	SIC Codes	NAIC Codes
110001861888	CARGILL STEEL & WIRE	600 COWAN STREET	NASHVILLE	TN	37207-5620	5051	331221

## Defendants

Defendants and Settlements	In Complaint	In Settlement
CARGILL METALS SUPPLY CHAIN, A BUSINESS UNIT OF	Y	Y
CARGILL, INC.	Y	N

## Case Milestones

Event	Actual Date
Final Order Issued	12/15/2015
Complaint Filed/Proposed Order	12/15/2015
Enforcement Action Data Entered	12/30/2015
Enforcement Action Closed	01/05/2016

## Related Case Documents

Document	Facility Name	Publish Date	EPA Program
No data records returned			

## Pollutants

Pollutant Name	Chemical Abstract Number
No data records returned	

## Related Activities

Description	Actual Date
No data records returned	

## Final Order 1

**Final Order Type:** Administrative Penalty Order With or Without Injunctive Relief

**Final Order Name:** CARGILL METALS SUPPLY CHAIN, A BUSINESS UNIT OF CARGILL, INC.

**Linked Facilities (FRS ID):** 110001861888

**Final Order Lodged Date:** --

**Final Order Entered Date:** 12/15/2015

**Enforcement Action Closed Date:** 01/05/2016

**Actual Termination Date:** --

## Penalties/SEPs/Cost Recovery Amounts

**Federal Penalty Assessed or Agreed To:** \$26,564

**State/Local Penalty Assessed:** --

**SEP Value:** --

**Compliance Action Cost:** \$100  
**Federal Cost Recovery Awarded:** \$0

**Complying Actions**

Complying Action ID	Category	Description
3600020132	Work Practices	Notification

**Supplemental Environmental Projects**

SEP ID	Category	SEP Value	Description
No data records returned			

**Pollutant Reductions**

Resulting From	Pollutant	Annual Amount	Units	Media Affected
No data records returned				